IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 4TH JANUARY 2007 / 14TH POUSHA, 1928

Bail Appl..No. 7718 of 2006()

AGAINST THE ORDER IN BA.5702/2006 Dated 22/09/2006
CRIME NO.216/06 OF SANTHANPARA POLICE STATION

.....

: PETITIONER/ACCUSED

SONY, AGED 28 YEARS,
S/O.THOMAS, KAPPILAMMOOTTIL HOUSE,
KALKOONTHAL VILLAGE, NEDUMKANDAM-IDUKKI.

BY ADV. SRI.SOORAJ T.ELENJICKAL

RESPONDENT: STATE

STATE OF KERALA,
THROUGH SUB INSPECTOR OF POLICE,
SANTHANPARA POLICE STATION,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7718 OF 2006

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DATED THIS THE 4th DAY OF JANUARY, 2007

O R D E R

Petitioner who is the 3rd accused in Crime No.216/06 of Santhanpara Police Station for offences punishable under sections 143, 147, 148, 324 and 308 read with section 149 IPC, seeks anticipatory bail. The occurrence took place on 10.8.2006.

2. Taking note of the fact that the matter had been squared up between the de facto complainant and the accused, this court as per order dated 18.12.2006 in B.A.No.7159/06 had granted anticipatory bail to the first accused. If so, there is no reason why the petitioner who is the 3rd accused in the case should be treated differently.

3. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn